

**UTILITY BOARD/COMMON COUNCIL**

**Thursday, June 14, 2012**

**7:00 P.M.**

The Common Council and Utility Board of the City of Huntingburg met in joint session at its regularly scheduled meeting time on Thursday, June 14, 2012 at the hour of 7:00 P.M. in the Council Chambers of the Huntingburg City Hall at 508 E. Fourth Street, Huntingburg, Indiana. Members Lehr, Kissling, McPherron, Blackgrove and Summers were present. Also present were Mayor Spinner and City Attorney Schneider.

Mayor Spinner called the meeting to order.

A motion was made by Kissling, seconded by Summers and carried to approve the minutes of the May 24, 2012 meeting.

A motion was made by McPherron, seconded by Summers and carried to approve the claims as presented.

Nick Stevens, Executive Director of the Huntingburg Chamber of Commerce was present to request support for the community's 175 year celebration. He presented cost estimates for the 175<sup>th</sup> Anniversary Celebration Kick-Off totaling \$10,000. The celebration event is scheduled to be July 13, 2012 at the Huntingburg Event Center. Council members spoke in favor of support but no funds are currently appropriated for the event.

The Mayor noted that \$10,000 of EDIT funds can be added to an additional appropriations ordinance to be considered later in the meeting.

The Mayor noted that lists have been presented of items to declare surplus and authorize for disposal at an auction on June 23, 2012. There was a list of City Hall items and utility items. Also included are 5 rolls of 50 ft. by 5ft chain link fence plus, 11 posts to go with them. Also it was noted that the gas utility truck will have a \$3,700.00 reserve on it and if the reserve is not met the truck will be traded in for \$3,700.00 toward a new Gas Utility truck.

A motion was made by Kissling, seconded by Lehr and carried to approve declaring as surplus the items on the lists presented, plus the chain link fence plus posts as noted above and to declare the current gas utility service truck surplus and set a reserve for the truck at \$3,700.00 and to authorize the disposal of these items at a public auction to be held on June 23, 2012.

The Mayor began a discussion concerning the moving of money from the CORE Property Fund to the Unsafe Building Fund. Specific properties were discussed. The Mayor informed the Council that the Board of Public Works and Safety had recommended an amount of \$25,000.00 be transferred into the Unsafe Building Fund.

A motion was made by Kissling, seconded by Lehr and carried to approve the transfer from the CORE Property Fund to the Unsafe Building Fund.

The Mayor presented a proposed additional appropriations ordinance which would appropriate \$25,000.00 in the Unsafe Building Fund and \$10,000.00 in the EDIT fund for use. The total additional appropriation would be for \$35,000.00.

A motion was made by Blackgrove, seconded by Lehr and carried to introduce and number Ordinance No. 2012-21 entitled:

**AN ORDINANCE APPROVING ADDITIONAL APPROPRIATIONS FOR  
THE 2012 BUDGET YEAR**

A motion was made by Blackgrove, seconded by McPherron and carried to set a public hearing for the above proposed additional appropriation for July 12, 2012 at 7:00 P.M. in the Council Chambers of Huntingburg City Hall.

Utilities Superintendent Traylor presented a proposed resolution that would declare the City's interest in obtaining 9.11 acres of land adjacent and west of the Huntingburg City Lake on CR 630 S. to be used for drying during the dredging of the lake. It was noted that the City would need to obtain 2 appraisals for the property at a total cost of approximately \$700.00. Discussion followed.

A motion was made by Summers, seconded by McPherron to introduce Resolution No. 2012-22 entitled:

**A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF  
HUNTINGBURG, INDIANA DETERMINING AN INTEREST IN THE  
PURCHASE OF REAL ESTATE**

The motion did not carry with Summers and McPherron voting aye and Kissling, Blackgrove and Lehr voting nay.

Attorney Schneider asked for permission to attend the Indiana Municipal Lawyer's Association seminar on June 21 and 22.

A motion was made by Blackgrove, seconded by McPherron and carried to approve Attorney Schneider's request to attend the Indiana Municipal Lawyer's Association Seminar on June 21, 2012 and June 22, 2012.

Attorney Schneider presented a proposed ordinance that would update the Municipal Code Book of the City. The update includes all ordinances of a general and permanent nature enacted since the prior supplement and other supplemental information.

A motion was made by Kissling, seconded by Lehr and carried to introduce Ordinance No. 2012-23 entitled:

**AN ORDINANCE ENACTING AND ADOPTING SUPPLEMENT TO THE  
CODE OF ORDINANCES FOR THE CITY OF HUNTINGBURG, INDIANA AND  
DECLARING AN EMERGENCY**

A motion was made by McPherron, seconded by Blackgrove and carried to suspend the rules with unanimous consent and consider the adoption of Ordinance No. 2012-23 on the same date and meeting at which it was introduced.

A motion was made by Blackgrove, seconded by McPherron and carried to adopt Ordinance No. 2012-23.

Upon call of roll for the adoption or rejection of Ordinance No. 2012-23 the vote being 5 ayes, 0 Nays, in favor of adoption, Ordinance No. 2012-23 was duly passed and adopted this date at the hour of 7:47 P.M.

Attorney Schneider presented three proposed ordinances dealing with weed and rank vegetation and their allowable height. He indicated that a proposed change would be to reduce the allowable height to 9 inches from 12 inches. It would also set the fine for violations at \$50.00 for the 1<sup>st</sup> offense in a calendar year and \$100.00 for subsequent offenses in a calendar year. He noted the change was recommended by the Board of Public Works and Safety at their last meeting.

A motion was made by McPherron, seconded by Lehr and carried to Introduce and number Ordinance No. 2012-24 entitled:

**AN ORDINANCE AMENDING CHAPTER 92 OF THE HUNTINGBURG  
MUNICIPAL CODE PROHIBITING THE UNCONTROLLED GROWTH OF  
WEEDS AND OTHER RANK VEGETATION**

Schneider also noted that the code section dealing with exterior maintenance of building and lots also has a reference to allowable height of vegetation. He presented a proposed ordinance that would amend the height reference in the code.

A motion was made by Blackgrove, seconded by Kissling and carried to Introduce and number Ordinance No. 2012-25 entitled:

**AN ORDINANCE AMENDING CHAPTER 152.07 OF THE  
HUNTINGBURG MUNICIPAL CODE REGARDING STANDARDS FOR  
EXTERIOR MAINTENANCE OF BUILDINGS AND LOTS**

Schneider also noted that the code provision dealing with a schedule of civil penalties for violations should be amended to be consistent with the other ordinance violation dealing with grass height. The Council indicated the penalty should also be set to be consistence with the others referring to grass height and they be set at \$50.00 for the 1<sup>st</sup> offense in a calendar year and \$100.00 for subsequent offenses in a calendar year.

A motion was made by McPherron, seconded by Summers and carried to Introduce and number Ordinance No. 2012-26 entitled:

**AN ORDINANCE AMENDING CHAPTER 34 OF THE HUNTINGBURG  
MUNICIPAL CODE PROVIDING FOR A SCHEDULE OF CIVIL PENALTIES  
FOR CERTAIN ORDINANCE VIOLATIONS**

Attorney Schneider summarized the new fee structure for the Huntingburg Transit Department for transportation charges. He noted the ordinance was previously introduced and held over for consideration at this meeting.

A motion was made by Summers, seconded by Kissling and carried to adopt Ordinance No. 2012-20 entitled:

**AN ORDINANCE ADOPTING A SCHEDULE OF FEES FOR THE  
HUNTINGBURG TRANSIT AUTHORITY**

Upon call of roll for the adoption or rejection of Ordinance No. 2012-20 the vote being 5 ayes, 0 nays in favor of adoption, Ordinance No. 2012-20 was duly passed and adopted this date at the hour of 8:00 P.M.

Attorney Schneider presented a proposed resolution that would establish two policies; a nepotism policy and a contracting with a unit policy. He explained the statutory need for these policies.

A motion was made by McPherron, seconded by Summers and carried to adopt Resolution No. 2012-27 entitled:

**A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF  
HUNTINGBURG, INDIANA ESTABLISHING A NEPOTISM POLICY AND A  
CONTRACTING WITH A UNIT POLICY**

Jon Bohnenkemper addressed the Council with a request to make the alley behind the post office between 4<sup>th</sup> and 5<sup>th</sup> Street to be one-way and made suggestions for the alley for flow and safety.

The Mayor indicated that the Street and Alley Committee is looking into the situation and any action would be through the Board of Public Works and Safety.

Bohnenkemper addressed the Council about the timing of the traffic light at 4<sup>th</sup> and Main Street. He also asked about the procedure for when a citizen brings a code enforcement violation to the City's attention. Attorney Schneider indicated that the Code Enforcement Officer should look into the concern. He also asked how the City handles situations where their own properties have high grass. Attorney Schneider indicated that the City is responsible to maintain their properties to be in compliance with City ordinances. He also asked about the engineering report given to the Park Board by the City Engineer concerning the proposed splash park. The Mayor indicated the City Engineer will be getting the information he requested on the proposed splash park.

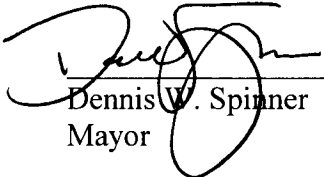
Lisa Kreilein spoke in favor of the one-way alley noted above.

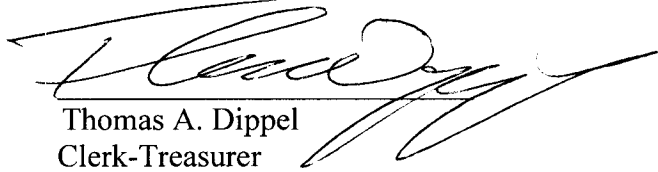
Member Lehr brought up a concern of people swimming in the City's Lake between the Event Center and Dairy Queen. She suggested signs indicating no swimming.

Terry Collier addressed the Council expressing concern of the possibility of the lake noted above being an attractive nuisance.

Member Kissling suggested the Board of Public Works and Safety look into an additional mid-summer clean-up day.

There being no further business before the Council, a motion was made by Summers, seconded by Blackgrove and carried to adjourn the meeting at 8:38 o'clock P.M.

  
Dennis W. Spinner  
Mayor

  
Thomas A. Dippel  
Clerk-Treasurer